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19 **UNITED STATES DISTRICT COURT**  
20 **DISTRICT OF NEVADA**

21 U.S. EQUAL EMPLOYMENT  
22 OPPORTUNITY COMMISSION,

23 Plaintiff,

24 vs.

25 KVP, LP dba Bouchon Restaurant; KRM, Inc,  
26 dba Thomas Keller Restaurant Group; and  
27 DOES 1-10, inclusive,

28 Defendants.

Case No.: 2:23-cv-01308-JCM-EJY

**STIPULATION TO EXTEND  
SCHEDULING ORDER DEADLINES  
(First Request)**

Plaintiff U.S. Equal Employment Opportunity Commission (“Plaintiff” or “EEOC”), Defendants KVP, LP dba Bouchon Restaurant (“Bouchon”) and KRM, Inc. dba Thomas Keller Restaurant Group (“TKRG”) (collectively, “the Parties”), hereby submit this joint stipulation to extend the deadlines in the scheduling order (ECF No. 25) by 120 days, as follows:

Event	Current Deadline	Requested Deadline
Discovery Cut-Off:	June 20, 2025	October 20, 2025
Amending Pleadings and Adding Parties	March 21, 2025	July 21, 2025
Expert Disclosures	March 21, 2025	July 21, 2025
Rebuttal Expert Disclosures	May 20, 2025	September 15, 2025
Dispositive Motions:	July 21, 2025	November 18, 2025
Joint Pretrial Order:	August 20, 2025, 30 days after the resolution of dispositive motions or further Court order	December 18, 2025, 30 days after the resolution of dispositive motions, or further Court order.

This is the first request for an extension of time regarding the above referenced deadlines. This Stipulation is based upon the following:

Good cause exists to extend the discovery and scheduling order deadlines as the Parties have been exercising reasonable diligence in pursuing their discovery obligations, and recently agreed to explore whether settlement is possible through mediation. The Parties anticipate selecting a mediator this week and are projecting for a mediation date in June 2025, subject to the Parties’ availability. Since the projected date for mediation is past the first upcoming deadline of March 21, 2025, the Parties require additional time to preserve their ability to retain experts and maintain consistency with the other case management deadlines while the Parties focus on preparing for mediation. In the event, the Parties are not successful at mediation, the Parties will require additional time to complete remaining discovery.

EEOC alleges that Defendants have subjected a class of individuals to harassment, and to prove its case seeks discovery to establish that Defendants subjected a class of individuals to

1 severe and pervasive harassment, that Defendants knew or should have known about the  
2 harassment and failed to take reasonable steps to prevent or correct it, and that the class was  
3 damaged as a result. The Parties have been working diligently in pursuing discovery obligations  
4 and attempting to resolve disputes without Court intervention. Immediately after the Rule 26f  
5 conference in January 2024, the Parties both issued its first set of requests for production and  
6 prepared for an Early Neutral Evaluation (“ENE”) session in March 2024. After the ENE  
7 session, where the Parties did not reach agreement, the Parties served and responded to two sets  
8 of discovery, supplemented their disclosures and production several times, engaged in extensive  
9 meet and confer efforts regarding the Parties responses and any perceived deficiencies including  
10 electronically-stored information (“ESI”) sources and productions from May 2024 through  
11 October 2024, prior to EEOC filing its motion to compel, and the Parties have taken three (3)  
12 depositions while coordinating the scheduling another six (6) depositions.

13 On November 19, 2024, EEOC filed a motion to compel discovery responses and  
14 production of key documents, which was fully briefed as of December 20, 2024, and is pending  
15 before this Court (ECF No. 33). EEOC’s pending motion affects the timing of depositions: the  
16 documents the EEOC is seeking are relevant to anticipated depositions.

17 Furthermore, EEOC identified and disclosed additional claimants in November 2024 and  
18 the Parties require additional time to take and respond to discovery as to the new claimants.

19 Despite exercising diligence, the Parties also require additional time to engage experts as  
20 they lack necessary documents and testimony to provide to retained experts in order for them to  
21 prepare reports pursuant to Fed. R. Civ. P. 26(a)(2)(B). Therefore, the Parties have agreed to  
22 extend all discovery deadlines to maintain consistency in the management of all deadlines and  
23 respectfully request the Court’s approval.

24 **(a) Discovery Completed to Date**

25 On October 24, 2023, the EEOC sent Defendants a detailed letter regarding Preservation  
26 of Information and Electronically Stored Information (“ESI”).

27 On January 12, 2024, the EEOC sent Defendants a detailed letter regarding the Rule 26(f)  
28 conference, including EEOC’s Form of Production requirements.

1 On January 16, 2024, the Parties held a joint Rule 26(f) conference. Pursuant to Fed. R.  
2 Civ. P. 26, the parties could not serve written discovery prior to the Rule 26(f) conference.

3 On January 18, 2024, EEOC served its first set of requests for production on Defendants,  
4 which included information regarding Defendants' policies and procedures regarding  
5 discrimination, harassment, and retaliation, complaints of discrimination, harassment, and  
6 retaliation, documents relating to aggrieved individuals and alleged harassers.

7 On January 30, 2024, the Parties filed a Stipulated Discovery Plan (ECF No. 24) and on  
8 the same day, the Court issued the scheduling order for this action and set the discovery cut-off  
9 for June 20, 2025 (ECF No. 25).

10 On February 15, 2024, EEOC served its initial disclosures.

11 On February 20, 2024, Defendants served their initial disclosures and responses to  
12 EEOC's first set of requests for production.

13 On March 7, 2024, Defendants served their First Supplemental Disclosures.

14 On March 12, 2024, EEOC served its First Supplemental Disclosures and Defendants  
15 served their Second Supplemental Disclosures. The Parties also attended an Early Neutral  
16 Evaluation ("ENE") session on this date but did not reach an agreement. After the ENE session,  
17 Defendants sent a letter to EEOC requesting to take depositions of Charging Party and claimants.

18 On April 30, 2024, EEOC sent a meet and confer letter to Defendants regarding their  
19 deficient responses.

20 On May 16, 2024, the Parties met and conferred to discuss EEOC's first requests for  
21 production, and Defendants served their Third Supplemental Disclosures.

22 On May 24, 2024, EEOC sent Defendants correspondence memorializing items discussed  
23 at the May 16, 2024 meeting.

24 On May 31, 2024, Defendants served their Fourth Supplemental Disclosures.

25 On June 16, 2024, Defendants served supplemental responses to EEOC's first set of  
26 requests for production and served its first set of requests for production to EEOC.

27 On July 1, 2024, Defendants served their Fifth Supplemental Disclosures.  
28

1 On July 24, 2024, EEOC served its responses to Defendants' first set of requests for  
2 production.

3 On August 26, 2024, Defendant Bouchon served its first set of requests for admissions to  
4 EEOC.

5 On August 29, 2024, EEOC served its first set of requests for admissions on each  
6 Defendant, its first set of interrogatories to Defendants, and second set of requests for production  
7 to Defendants.

8 On September 10, 2024, Defendants served their Sixth Supplemental Disclosures.

9 On September 12, 2024, Defendants served their second supplemental responses to  
10 EEOC's first set of requests for production.

11 On September 25, 2024, EEOC served its responses to Defendant Bouchon's first set of  
12 requests for admissions.

13 On October 4, 2024, Defendants served their Seventh Supplemental Disclosures.

14 On October 9, 2024, Defendants served responses to EEOC's first set of requests for  
15 admissions and their second set of requests for documents on the EEOC. On the same day,  
16 Defendant Bouchon served its first set of interrogatories on the EEOC.

17 On October 15, 2024, Defendants served their responses to EEOC's second set of  
18 requests for production and served their Eighth Supplemental Disclosures.

19 From May 16, 2024 through October 22, 2024, EEOC engaged in multiple meet and  
20 confer efforts with Defendants regarding their responses to EEOC's first set of requests for  
21 production during which the Parties also attempted to coordinate and schedule depositions. By  
22 October 16, 2024, the Parties reached agreement as to four (4) depositions and continued to  
23 ascertain the availability of an additional three (3) witnesses.

24 On October 28, 2024, Defendants provided responses to EEOC's first set of  
25 interrogatories.

26 On November 6, 2024, EEOC informed Defendants that the deposition scheduled for  
27 November 13, 2024 would not be able to go forward and requested it be rescheduled.

28 On November 8, 2024, EEOC served its responses to Defendants' second set of requests

1 for production and its Second Supplemental Disclosures which identified an additional set of  
2 claimants.

3 On November 12, 2024, EEOC served its responses to Defendant Bouchon's first set of  
4 interrogatories.

5 On November 14, 2024, Defendants took the deposition of an EEOC claimant.

6 On November 18, 2024, Defendants took the deposition of an EEOC claimant.

7 On November 19, 2024, EEOC filed a Motion to Compel with this Court pertaining to  
8 disputes regarding Defendants' responses to EEOC's first set of requests for production, ESI  
9 sources and search methodology, and production of key documents, including, but not limited to,  
10 those relating to complaints, HR policies and investigations, and claimants.

11 On November 20, 2024, EEOC took the deposition of Defendants' witness, a current  
12 employee.

13 The Parties agreed to stipulate to two (2) extensions of time for Defendants to file their  
14 opposition to EEOC's motion to compel, which were granted by the Court, first to December 10,  
15 2024 (ECF No. 35) and second to December 13, 2024 (ECF No. 37).

16 On December 13, 2024, Defendants filed an Opposition to EEOC's Motion to Compel  
17 and Defendants served their Ninth Supplemental Disclosures.

18 On December 20, 2024, EEOC filed a Reply in Support of Its Motion to Compel. EEOC  
19 is awaiting a ruling of the pending Motion to Compel regarding outstanding documents and  
20 production of ESI that are vital for deposition preparation.

21 **(b) Discovery Remaining to Be Completed**

22 Pursuant to the discovery plan, the Parties may take up to 15 depositions. Defendants  
23 indicated they intend to depose all EEOC's claimants, which includes at minimum another 13  
24 depositions, including at least five (5) which were recently identified in November 2024. EEOC  
25 is waiting on Defendants for availability of at least three (3) key witnesses and anticipates  
26 additional depositions including Defendants' 30(b)(6) corporate designee, once crucial document  
27 production is complete before or through resolution to the pending motion to compel discovery  
28 (ECF No. 33). Furthermore, given the Parties recent agreement to explore settlement through

mediation, the Parties anticipate taking at least six (6) depositions before mediation. Should the Parties not reach agreement at mediation, the Parties will require additional time to agree on and schedule the approximate 21 remaining depositions permitted.

**(c) Reasons Discovery Cannot Be Completed within Existing Deadlines**

As described above, the Parties have been diligent in its overall conduct during the discovery period. EEOC has been diligent and persistent in attempting to resolve its discovery dispute with Defendants regarding its first set of requests for production without Court intervention. While the Parties were in the middle of first round of depositions, the holiday schedule severely interrupted the Parties ability to schedule further depositions in November and December 2024. Additionally, prior to the scheduled depositions in November 2024, EEOC disclosed an additional set of claimants. The Parties require additional time take and respond to discovery. EEOC is also waiting crucial document production from Defendants that is the subject of the pending motion to compel. EEOC requires this information and ample time to review to properly evaluated its need for expert witnesses. Even if EEOC were to retain an expert at this time, the expert would still be unable to rely on key relevant information to prepare their report. Furthermore, the Parties recently agreed to explore settlement and require additional time to prepare for mediation. As the proposed mediation date is well past the first upcoming deadline in the scheduling order and the Parties wish to maintain consistency in case management deadlines, the Parties request additional time to conduct discovery should mediation be unsuccessful.

**(d) Proposed Dates for Discovery Deadlines**

Event	Current Deadline	Requested Deadline
Discovery Cut-Off:	June 20, 2025	October 20, 2025
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**IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

Dated: February 27, 2025

/s/ Dayana R. Pelayo  
Dayana R. Pelayo  
Attorney for Plaintiff U.S. EEOC

GORDON, REES, SCULLY, MANSUKHANI

Dated: February 27, 2025

/s/ Dione C. Wrenn  
Dione C. Wrenn  
Attorney for Defendants KVP, LP dba Bouchon  
Restaurant and KRM, Inc. dba Thomas Keller  
Restaurant Group

**IT IS SO ORDERED:**

  
**UNITED STATES MAGISTRATE JUDGE**

DATED: February 27, 2025